

St. Giles, Camberwell.

REPORT ON THE SANITARY ACTS IN THEIR RELATION TO THE HOUSES OF THE VERY POOR.

1884

THE subject of the housing of the very poor has again been brought prominently before the public. Distinguished members of both houses of Parliament, who have probably little or no real acquaintance with it, have been parading their views on the nature and extent of the existing evil, and as to how this evil may best be dealt with; with the object (if one may deduce it from the character of their utterances) rather of bidding for popularity than of dealing with it in a practical way. Clergymen, who are probably more shocked at the immorality prevailing amongst the very poor and at their little knowledge or appreciation of Christianity than at their actual sanitary condition, have written highly-coloured accounts of the wretchedness of the hovels they inhabit. And public meetings have been held at which all but those who are best acquainted with the domestic condition of the very poor have expressed their feelings, and have passed hasty resolutions, some of which, at any rate, if embodied in Acts of Parliament would probably aggravate the evils they were intended to cure.

It is largely forgotten by most of those who address themselves to the subject that a considerable though unascertained percentage of our population is composed of persons whose natural tendency is to grovel—beggars, thieves, prostitutes, drunkards, persons of lazy and improvident habits, persons of feeble intelligence, and persons who (like too many of the poor) marry or cohabit prematurely and procreate large families for

which they are totally unable to provide ; and that such persons gravitate from all quarters to large towns and there accumulate. Many of our poorest and filthiest fellow townsmen are Irishmen, who import the habits in which they have been brought up ; many of them are costermongers and labourers whose occupations almost compel filth.

When Mr. Peabody, some years ago, inaugurated the building of large tenement palaces for the poor (a system which has undergone considerable extension since), it was believed by many that a method of housing the very poor had been devised which would go far to remedy the evils now under discussion. But, as is well known, these buildings merely provide comfortable homes for well-to-do artisans ; in order to make them pay it is necessary to ask a rental far beyond the means of those who (it is assumed) specially need assistance ; and in fact they are occupied by a class of persons that have always been able to acquire and pay for decent accommodation. Moreover, the building of these institutions on sites formerly occupied by so-called "rookeries," and the destruction of such places by railway extensions and under Sir Richard Cross's Acts, have mainly had the effect of driving the persons dispossessed to other quarters, and of creating "rookeries" in places where they did not formerly exist.

The fact is, that do what we will a considerable proportion of the population of our large towns will live in filth, and what others term misery ; their habits and tendencies are opposed to all sanitary principles ; and they are certain to remain a discredit to themselves and us, unless we banish them from our midst, or employ one half to keep the other half clean and conversely, or house them and feed them and keep them in idleness at the public expense.

I by no means wish it to be understood that I do not value and even admire the honest and kindly endeavours of clergymen of all denominations, of Charity Organisation Societies, and the like, to ameliorate the condition of the very poor, or that I think they do no good. I have no doubt that among the

dregs of the population there are many who have fallen, or have failed to rise, from no real fault of their own ; that there are many in temporary misery to whom timely assistance may be of incalculable value ; and that good example, and teaching, and kind encouragement may have more or less influence for good over many others. But I am nevertheless sure that a large town like London will always attract undesirable residents, and that no inconsiderable proportion of the population will, in spite of all that can be done for them, remain degraded.

No one who knew the sanitary condition of London eight-and-twenty years ago, and compares it with its state at the present time, will fail to recognise the great and general improvement that has taken place. It is true that much of this improvement relates to sewerage, paving, lighting, water-supply, the removal of refuse, the regulation of offensive businesses and of cowhouses, dairies, and bakehouses, the provision of open spaces, the establishment of baths and wash-houses, the erection of hospitals for infectious diseases, and the closing of metropolitan burial grounds ; and that, as regards domestic improvement, this has been mainly in the houses of the better and middle classes, and in those occupied by small tradespeople, clerks and artisans. Yet even the "rookeries" and the houses occupied by the poorest have benefited in no inconsiderable degree, though they have not benefited so much as could be wished, or so much as doubtless was expected. There are many reasons for this. The persons concerned are improvident and dirty ; they accumulate all kinds of filth in their holdings ; they stable ponies and donkeys in their sitting rooms ; they allow trade refuse to decompose in them ; they break up their dust-bins, cistern covers, and bannisters for firewood ; they sell their drain-traps and water-fittings as old metal ; they block up their closets and drains with rags and shavings. The new methods of drainage and water-supply, which are consequences of our advancing civilisation, require delicate and costly arrangements to permit of their working efficiently ; but their delicacy and nicety of detail make them difficult of adaptation to the poorest property, while their cost in many

cases renders the adoption of the most efficient apparatus an impossibility; and lastly, the owners of poor property naturally expect some return from property in the purchase of which many have invested their savings; and hence are often loth to expend money lavishly on it, especially if they have tenants who wantonly or of design injure or destroy works executed presumably for their benefit.

The sanitary state of the houses of the poor depends largely on three conditions, namely:—1st, the conduct of the poor themselves; 2nd, the conduct of the landlords or their agents; and 3rd, the conduct of the authorities constituted by law to enforce the provisions of the Sanitary Acts.

1st. That much depends on the poor themselves is obvious. One may see proof of this statement over and over again in the course of house-to-house inspection. In adjoining houses of the same kind, belonging to the same landlord, similarly cared for by him and looked after by the Sanitary Officials, one may often discover, in the one case, floors, walls, staircases all filthy, foul rubbish piled in corners, drains and closet choked up or out of order, and reckless damage done to all kinds of structural works; in the other case, the whole place, though poor and scantily furnished, kept clean and comfortable, and all sanitary provisions maintained in reasonably good condition. In such cases it is clear that the unwholesome and dilapidated state of the one house, and the comparative luxury and cleanliness of the other, are due solely to the different habits and characters of the tenants, over which neither sanitary staff nor landlord has any control. The landlord would be only too glad to get rid of the bad tenant if he could.

As examples of sanitary defaults due to tenants discovered in the course of inspection, I quote the following facts which come to my mind. In one case the inspector found that the tenant of a small house (a costermonger) was stabling two donkeys and a rabbit in one of his ground-floor rooms; in another case he found that of three rooms on the first floor, one was used as a bed room, while the other two accommodated

between them about a hundred fowls and ducks, the floors being thick with their filth; in another case he discovered a husband and wife, living by themselves in a small house, and employing a charwoman to wait on them and to purchase and prepare their victuals, while they, regardless of all decency and cleanliness, passed their time, day and night, in bed drinking or sleeping off the effects of drink; in a fourth case he found a small house occupied by a middle-aged man (in fair work) living in incest with his eldest daughter, and having a family of several children by his deceased wife and another of two or three by his daughter, all living together in the greatest squalor and filth.

It is very difficult to see what should be done in many of the cases that are met with. Slovenliness, improvidence, recklessness, dishonesty, offences against the seventh commandment lie beyond the immediate scope of the duties of sanitary authorities. They must be dealt with, if dealt with at all, by the common law on the one hand, and on the other by the clergy and their associates, and other charitable persons and institutions that devote themselves to the welfare of the poor. I fail to see how benefit can accrue to them by their possession of the franchise, especially now that they are debarred from selling their votes; or in what useful way they would be benefited by making them landed proprietors.

I do not for a moment mean to imply that there are not many decent and well-conducted persons among the very poor, or even that behind the screen of filth and slovenliness and improvidence there may still be much that is good and even admirable. Still less do I mean to suggest that sanitary labours amongst the very poor are necessarily fruitless. But I maintain that to a large extent they neutralise in various ways all measures taken for the promotion of their comfort and health; and that not unfrequently, within a week or two of the time at which their houses have been cleansed, and drains, closets, &c., have been put in order, their houses are as filthy and their sanitary appliances as defective as they were before.

2nd. In recent discussions, as in former ones, landlords of small property have been held up to general reprobation; and

many persons have been and are inclined to attribute all the sanitary defects which prevail in such property to their neglect and rapacity. No doubt the landlords of small property, just like the landlords of better property, like tradespeople and professional men, and even like members of the legislature, present great varieties of character. Some are selfish and look only after their own interests, some are careless and take no trouble about anything; but there are many who strive to do their duty conscientiously, and many who are excellent. I know at the present time one landlord, formerly a vestryman, who has a large number of houses in one of the poorest districts of the parish—property that (owing largely to the quality of the tenants) would, I dare say, be condemned by drawing-room sanitarians, but which I confess to regard as very suitable for the persons living in it; who is constantly looking after it personally; who is constantly having it cleansed and repaired; and who habitually expends a very large proportion of the rental he receives from the property in its maintenance. There are others, however, who not only take no trouble about the houses they own, but whom it is difficult and often impossible to make do needful work in anything like a satisfactory way. As a general rule, I should say that landlords who look after their own property are those who keep their houses in the best sanitary condition; and that to a large extent they readily co-operate with the Sanitary Officers of the Vestry, and even look to them for advice and assistance. Our greatest difficulty, as a rule, is with property managed by agents and representatives of building societies. But I do not wish to express general condemnation even of these.

3rd. It is the duty of Vestries and Local Boards through their Sanitary Staffs to keep a general supervision over the sanitary condition of the districts which they represent; to enforce the sanitary enactments of the Metropolis Local Management Acts; and to administer the several Sanitary Acts. What these duties are is of course well-known to Medical Officers of Health and Sanitary Inspectors, to Vestry Clerks and Surveyors, and to members of Vestries who serve on Sani-

tary Committees. But vestrymen, as a rule, and still more the general public, can scarcely be expected to be minutely informed on the subject; and hence the abstracts of the Sanitary Acts which have been prepared by the Local Government Board and distributed among the Metropolitan Vestries are likely to be of some service.

Anyone hitherto unacquainted with the powers of Vestries in regard to sanitary matters, who peruses these documents carefully, will probably be struck with the large and extensive powers which Vestries wield, and will probably be inclined to think that, possessing such powers, they are deeply to blame for allowing any such sanitary evils to exist as have lately been described, or in fact for allowing the existence of any sanitary evils at all. With these abstracts before us it is not necessary for me to enlarge either on the sanitary duties or on the sanitary powers of Vestries. Indeed, they are unintentionally magnified in the abstracts by the fact that difficulties of administration are not referred to in them, and that important defects in the Acts themselves, which interfere much with their efficiency, are ignored or omitted. I purpose, therefore, to call attention to some of these omissions, and to show how in many ways the beneficial intentions of the Sanitary Acts are defeated or neutralised.

It must always be borne in mind that in nearly all instances where obedience is not paid to the orders of a Vestry under the Sanitary Acts the case has to be taken before the magistrate, who decides on the evidence placed before him whether the Vestry is right or whether the presumed offender is right, and whether anything, and if anything what, shall be enforced. It may be admitted that a magistrate is generally inclined to assist the local authorities; but he also has, and is entitled to have, an opinion of his own, exercises his own discretion in dealing with matters that come before him for decision, and listens, as he is bound to do, to opposing evidence. Consequently, over and over again Sanitary Officers of Vestries find their efforts to remedy or to remove what they regard as sanitary defects or nuisances thwarted. It is not difficult to under-

stand this. Clauses in Sanitary Acts are sometimes ambiguously worded. For some obvious sanitary needs no legal provisions whatever exist. In some cases specific enactments are rendered powerless by other enactments. The plea of poverty, or some other such plea, is successfully urged in mitigation or for delay. Scientific evidence of an impressive character and barristers of eminence appear in opposition. Magistrates occasionally misread Acts of Parliament. And last, but not least, persons required to do sanitary works, even under the order of the magistrate, not unfrequently do them perfunctorily and imperfectly, but in such a way as just to escape the penalty attached to non-compliance. Some of the above remarks will be illustrated by what follows.

The very basis of our proceedings under those clauses of the Sanitary Acts which relate to dwelling houses is that there shall be *a nuisance or injury to health*. Now mere dirt does not necessarily imply unhealthiness, still less do mere dilapidations. Holes in ceilings, holes in walls, holes in floors, rickety staircases and broken bannisters may and do all exist without causing the slightest danger to health. Blackness of walls and ceilings may be the simple consequence of dirty occupations or the effects of smoke, and in a sanitary point of view perfectly harmless. Even the foul atmosphere which may be found associated with these conditions may be due simply to the fact that the windows are closed, and so many people with unwashed bodies and frowsy reeking clothes on their backs are accumulated on the premises. I speak thus not to conjuro up imaginary difficulties, but because such difficulties actually exist, because they are often brought under my notice, and because the suggested arguments have actually been urged successfully against the action of Sanitary Officers. And, indeed, I do not hesitate to assert that a thoughtful and experienced expert would, on these and such like grounds, often hesitate or refuse to institute proceeding against property which the casual philanthropic visitor would at once condemn, and the condition of which he might adduce and picture as evidence of gross neglect.

Summary of Sanitary Duties Performed by the Sanitary Inspectors, and Works Executed under their Directions, during the 27 Years which have elapsed between the institution of the Vestry in 1856, and March 25th, 1883.

Surveyor's Return of Number of Houses Drained.

	Houses inspected.	Lodging Houses inspected.	Houses Lime-Whited, &c.	Houses repaired.	Dust Bins provided or amended.	Butts and Cisterns provided, amended, or cleansed.	Water supplied to Houses.	Water supplied to Closets.	Closets provided, repaired, and cleansed.	Cesspools emptied and abolished.	Drains cleansed, trapped, and repaired.	Houses drained into Sewer.	Yards paved or drained.	Overcrowding abated.	Manure, dust, &c., removed.	Pigs, &c., removed.	Urinals cleansed.	Miscellaneous Nuisances.	Cow Houses inspected.	Slaughter Houses inspected.	Bakehouses inspected.	Houses proceeded against under Artizans' Dwelling Act.	Fever cases attended to.	Houses disinfected.	Lots of Bedding disinfected.	Inspections under Workshops' Act.	Notices served.	Summonses.	Articles analyzed under Food Act.	Summonses under Food Act, &c.
1856-7 ..	2313	..	278	27	?	?	15	34	704	666	895	543	172	..	..	?	..	..	..	48	..	..	..	..	?	?	..	..		
1857-8 ..	2594	..	171	21	41	?	51	98	324	564	635	328	84	..	..	755	..	..	..	50	..	..	..	..	678	?	..	..		
1858-9 ..	2557	..	286	51	85	?	56	30	177	526	189	177	73	..	..	567	..	..	..	49	..	..	..	..	529	?	..	..		
1859-60 ..	2374	..	280	79	56	?	78	62	118	394	307	118	50	..	..	1358	..	..	..	43	..	..	..	..	407	6	..	..		
1860-1 ..	2100	..	237	48	48	?	151	50	145	674	425	145	40	..	..	1623	..	..	..	42	..	..	..	..	424	5	..	..		
1861-2 ..	1953	..	268	29	25	?	105	75	102	576	232	102	42	..	..	1402	..	..	..	44	..	..	..	..	384	13	..	..		
1862-3 ..	1374	..	241	73	20	?	78	62	93	417	473	93	61	..	..	1280	..	..	..	52	..	..	..	..	346	22	..	..		
1863-4 ..	1393	..	134	41	8	?	56	24	137	349	229	137	52	..	..	933	..	..	64	55	82	..	..	..	293	13	..	..		
1864-5 ..	1454	..	193	33	0	?	117	49	45	293	132	45	97	..	..	874	..	..	64	55	84	..	..	..	319	8	..	..		
1865-6 ..	1467	..	189	54	5	?	41	58	292	816	625	292	74	..	..	893	..	..	68	55	88	..	..	..	396	12	..	..		
1866-7 ..	5594	..	541	261	312	587	72	?	825	1862	1921	825	74	..	..	*1330	..	..	60	52	105	..	..	..	1447	15	..	..		
1867-8 ..	5730	..	248	145	1083	361	92	?	756	2153	2407	756	75	..	..	*3203	..	..	56	49	115	..	..	..	1465	54	..	..		
1868-9 ..	5408	..	338	67	760	174	43	15	237	377	818	216	40	..	..	*2369	..	..	61	51	127	..	..	..	935	11	..	..		
1869-70 ..	5782	..	430	60	470	165	8	10	350	401	953	290	47	..	..	*3846	..	..	67	50	133	..	..	..	1015	13	..	..		
1870-1 ..	13503	524	554	?	539	189	5	?	117	127	821	117	56	..	..	*4398	..	..	78	51	126	..	..	..	207	2002	21	..	..	
1871-2 ..	12110	128	1150	376	911	233	4	264	126	196	891	167	110	7	*1174	45	33	973	68	46	109	..	801	?	298	..	2452	27	..	..
1872-3 ..	16583	27	925	489	1133	836	5	215	541	188	1451	172	93	10	46	50	26	442	67	45	121	6	?	?	..	2677	34	..	..	
1873-4 ..	11364	191	411	434	544	441	6	151	413	53	785	65	88	27	*2410	38	24	207	70	46	134	16	?	?	9	..	1893	20	339	41
1874-5 ..	9818	19	562	513	1041	549	45	194	663	60	1019	82	168	15	*3636	32	28	827	74	47	133	0	?	?	48	..	2120	28	229	30
1875-6 ..	11603	72	597	603	1171	1041	68	898	694	34	1835	134	240	48	*4330	26	47	1089	69	43	119	46	?	?	180	..	3844	94	138	14
1876-7 ..	5187	80	368	337	562	709	22	1478	303	54	1004	84	50	24	59	2	27	271	72	45	68	0	672	433	415	..	3290	106	218	20
1877-8 ..	6700	0	197	397	595	757	48	778	418	38	1117	101	144	14	62	3	30	228	90	40	120	18	741	524	514	..	3521	82	202	21
1878-9 ..	11164	228	515	333	882	818	118	1348	368	70	1178	253	137	13	159	7	34	619	86	45	153	5	448	375	379	..	3712	45	231	48
1879-80 ..	9770	93	434	401	969	766	76	1020	454	58	1621	178	125	5	96	13	33	648	80	41	115	1	716	667	662	..	4098	55	220	38
1880-1 ..	13299	239	371	277	684	597	129	1169	509	33	1458	196	268	32	302	16	28	816	86	42	188	0	851	540	569	..	4314	46	249	34
1881-2 ..	14279	217	304	416	1187	454	106	1008	570	58	1634	216	326	26	259	1	26	490	62	36	181	6	1476	1047	1002	..	5543	45	202	38
1882-3 ..	12691	217	249	243	746	564	57	948	580	84	1511	237	302	13	189	3	47	725	53	36	175	18	642	454	452	..	2806	19	210	38
Total ..	190164	2035	10471	5908	13877	9241	1652	10038	10061	11121	26678	6069	3088	234	12722	236	383	7335	1395	1258	2476	116	6425	4041	4528	295	50910	794	2238	322

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J. S. BRISTOWE,

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J. S. BRISTOWE,
Medical Officer of Health.

J. C. REYNOLDS,
Surveyor.

* All these items comprise mainly complaints of non-removal of Dust, chiefly made by the Inspector of Nuisances. In 1872 and since 1875 they have been omitted, as they are dealt with directly by a special Inspector, who supervises the removal of Dust. Where queries are placed, they imply either that accidentally no record has been preserved, or that the items are included in figures under some other heading. Thus for several years the disinfection of houses was included in the column for Houses Lime-Whited, &c.

THIS return for the most part includes the return of houses drained into the sewers, given in the adjoining table

Permanently.	Temporarily.	Total.
424	119	543
273	108	381
325	97	422
258	122	380
256	110	366
392	153	545
546	251	797
632	369	1001
459	199	658
1205	161	1366
2518	22	2540
2505	10	2515
1311	1	1312
1186	2	1188
763	..	763
584	30	614
596	2	598
591	..	591
928	6	934
1099	4	1103
1498	6	1504
1560	..	1560
2340	3	2343
2340	3	2343
1568	..	1568
1295	..	1295
892	..	892
28344	1778	30122

January 22, 1884.



One important object of the Nuisances Removal Acts is the abatement or suppression of trades nuisances. It must be recollected, however, that excepting certain offensive businesses which are now under regulation by the Metropolitan Board of Works, all that can in most cases be required is that the best practicable means shall be adopted to minimise the nuisance they create, and that hence in many cases more or less nuisance becomes permissible by law. But, oddly enough, the Nuisances Removal Act of 1855, which gives these powers, contains also a clause which neutralises them in respect of a whole group of offensive trades; and oddly, too, this exclusion is buried in a clause, the marginal reference of which is "but not to affect navigation of rivers or canals," but which in its latter half goes on to say "and the provisions of this Act shall not extend or be construed to extend to mines of different descriptions so as to interfere with or obstruct the efficient working of the same, or to the smelting of ores and minerals, *or to the manufacturing of the produce of such ores and minerals.*" It must be nearly twenty years ago that a serious nuisance arose in Camberwell from the establishment of some works coming within the last category. The words which I have quoted, contained in a clause which apparently could not have any sanitary application to Camberwell, escaped the notice both of the Vestry Clerk and of myself. But an astute lawyer, who appeared before the magistrate on behalf of the defendants, had unearthed them, and thereby gained a victory for his clients. A deputation from the Vestry subsequently waited upon the President of the Local Government Board and drew his attention to the defect in the Act. The defect, however, still remains.

The supply of wholesome water for drinking is a sanitary requirement of the greatest importance; and one might suppose that direct powers would be given to local authorities to require that surface wells should be abolished and water laid on to houses by the water companies. No direct power of the kind, however, is given, excepting in respect of small houses for which the water rate does not exceed three pence a week. Vestries have power to order water to be supplied to houses

for the purpose of flushing closets and drains ; but they have no power, for this purpose, of insisting that the water shall be derived from any specific source. They have power if they have sufficient direct evidence to prove that their water is unfit to drink, either (in the discretion of the magistrate) to have private wells closed or to require that they shall be used only for specific purposes. But supposing that in any such case where water is not laid on by a company a magistrate were to direct that the well-water should be used only for flushing closets and drains, the Vestry have still no power, or at any rate a very doubtful power, to order that drinking water shall be provided. I cannot help here remarking on the improper powers which the water companies possess, and abuse, of cutting off the water supply from houses in order to enforce obedience to their regulations, or because their water-rent is in arrear. Not only are houses thus left sometimes for weeks without one of the first necessities of life, owing, it may be, to no default of the tenant, but the companies coolly give us intimation of their proceedings so that we (acting in the interests of health) may take legal measures to compel landlords to have the water supply reinstated, and thus act as the companies' cat's paw.

House-to-house inspection should, I think, be carried out habitually, and as is well-known it has been carried out in the parish of Camberwell from the moment when the Metropolis Local Management Act came into operation down to the present time. But some parishes have not undertaken any such duty ; and so far as I know the Sanitary Acts do not make it imperative. I presume that the absence of any such provision in the earlier Acts led to the introduction into the Amendment Act of 1866 of Clause 20, which says : " It shall be the duty of the Nuisance Authority to make from time to time, either by itself or its officers, inspection of the district, with a view to ascertain what nuisances exist calling for abatement under the powers of the Nuisances Removal Acts, &c." But a clause which leaves it to a Nuisance Authority to make its own inspections can hardly be regarded as rendering systematic house-to-house inspection imperative. There seems to me, therefore, a reasonable excuse for their

default on the part of those Vestries which have not yet required their officers to undertake such duties; the more especially as officers of Vestries have no legal power of entry unless they have reason to suspect the presence of a nuisance, and then only (in case of refusal of admission) after due notice and armed with an order of a magistrate. I admit that, on the whole, we have had very little difficulty in the systematic performance of this duty. But the inspectors are at times refused admittance; and a former member of this Vestry, offended by being required to carry out certain necessary works, actually forbade his tenants, on pain of ejection, to allow any of the Sanitary Officers of the Vestry to enter his houses.

The power given to Vestries of compelling, under certain conditions, the disinfection of premises after dangerous infectious diseases is undoubtedly a very valuable one, and a power which has been largely exercised. But after all it is only a minority of cases in which such diseases occur that, under present circumstances, are dealt with. In the absence of compulsory notification of such diseases, a large number of infectious cases, which are not fatal, never come to the knowledge of the sanitary authorities. And in no inconsiderable proportion of those that do come to our own knowledge, where the persons immediately concerned object to the interference of the Vestry, they arm themselves with a certificate from the medical attendant that all needful disinfection has been effected. In many such cases we have reason to know that no actual disinfection has been attempted, or that disinfection has been done in a perfunctory and absolutely useless manner, but any further action on our part is necessarily estopped. I do not here call special attention to the inherent difficulties of efficient disinfection in the thickly-peopled houses of the very poor, though they are often so great as practically to neutralise the effects of disinfection; but I may point out that although Vestries have power to compel landlords to strip off paper, and to lime-white rooms or houses in which infection exists, they have no power to compel them to reinstate, and that consequently premises are apt, after disinfection, to be left in a miserable-

looking condition, which (though not unhealthy) is a serious grievance to the tenant, and to the casual visitor would be a proof of official neglect.

It is difficult to see how the spread of dangerous infectious diseases among the very poor can be effectively checked unless the legislature gives local authorities much greater powers than they now possess of compelling the removal of the sick to hospital. But it may be admitted that the exercise of even the most stringent powers must necessarily fail to a large extent to secure the desired object. Fortunately, in a very large number of cases the removal of our own dangerous patients is secured by the judicious advice and firm action of the Inspectors of Nuisances. But there are cases where all such advice fails, and unfortunately these are often cases for the necessity of removal of which there is the most pressing need. The enactment giving power of compulsory removal is limited in its operation to persons who, suffering from dangerous contagious or infectious disorder, *are without proper lodging or accommodation, or are lodged in a room occupied by more than one family.* Now it is well-recognised that this enactment has reference to the needs of the patient and not to the safety of the persons with whom he lives; and that hence a medical man is not justified in certifying that the patient is without proper lodging or accommodation unless the room in which he is lying is unfit for living in, or in some way or other contravenes express provisions of the Sanitary Acts, and a magistrate will refuse to make an order for his removal unless the circumstances of the case be exceptionally bad. That a magistrate will be slow to grant an order we have experienced on several occasions. And even if the order be obtained it by no means follows that the patient shall be removed. The medical man in attendance may certify (most likely correctly, at any rate correctly according to his judgment) that the patient is too ill to be removed; or the patient himself may still decline to go, and may remain immovable except by force, which in such a case can scarcely be applied. In one instance, a few years ago, we obtained a magisterial order for the removal of a man suffering from small-pox; he refused to submit, and as his

removal would have involved a prolonged struggle, and probably a free fight between a man covered with pocks and his friends on the one side, and two or three Vestry officials and policemen on the other, he had his way. Again, some few years ago, we had a localised outbreak of typhus in Camberwell, which, owing mainly to the kinds of difficulty just considered, we did not succeed in arresting until after the lapse of several weeks. Here we had to do with medical men who co-operated loyally with us; but (and this is the reason why I quote the case) the disease in two or three instances was carried to localities a quarter or half a mile away, and came under the treatment of other practitioners. Now these were traced by the Inspectors, who from their previous knowledge were able to inform the medical attendants of the nature of the cases they were treating. But in every instance, I believe, the medical man refused to recognise the case as one of typhus; and all attempts, therefore, at isolation or removal to hospital, or disinfection failed.

The Artisans' and Labourers' Dwellings Act, 1868, though not perfect, is one of very great value. It gave large powers properly applicable to exceptional cases, and (what was almost of equal importance) could be held *in terrorem* over landlords who grossly neglected their duty. One of its chief surviving defects, according to my opinion, is that (equally with the Nuisances Removal Acts) proceedings under it have to be based on a certificate to the effect that a house or houses are "in a state injurious to health so as to be unfit for human habitation." Now, as I have before stated, a house may be so dilapidated as not to be fit for occupation, and yet not unhealthy; it may be filthy and yet the filth may be of a kind that does not involve unhealthiness; it may stink, and yet the effluvia may be due solely to the persons and dresses and furniture of the occupants. It may present all these defects in combination, and yet there may not only have been no prevalence of disease in the house or the neighbourhood, but the children may be chubby and robust. Now these and like considerations have undoubtedly from time to time arrested my action in regard to property which I had desired to bring under the operation of the Act, and have made me put

off my action until something additional might arise to justify or compel me. The Amendment Act of 1879 seems to me to have been singularly ill-conceived and ill-constructed; and has to a large extent defeated the intentions and destroyed the usefulness of the original Act. Its main features are: that it gives the neglectful and unworthy landlord, whom the former Act punished, the power to compel a Vestry to purchase, at a sum to be determined by arbitration, the property which they condemn to be demolished, or even order to be thoroughly repaired, and thus probably to obtain a pecuniary reward for his evil-doings; and that it gives to Vestries the power of retaining the property thus purchased, of building model dwellings in its place, and of becoming the landlords of houses intended for the reception of the kind of inmates who were displaced. I cannot say that I think it desirable that a Vestry should become the landlord of a number of small houses, scattered at irregular intervals over a wide area; which is what must occur if the Amendment Act should be largely had recourse to. If a Vestry is to have and maintain model property for the poorest classes it is at least necessary that this property should occupy definite if not selected areas, so that it may be advantageously arranged and capable of easy supervision. But nothing of this kind is possible under the Act. It is for the landlord alone to determine whether his condemned property shall be bought by the Vestry. The Vestry has no power whatever to compel him to sell if he does not wish to do so. Neither has it any power of compulsory purchase in regard to adjoining property, excepting in a particular case. In a case which I have recently reported to the Vestry as suitable to be dealt with under Torrens's Act, the Vestry will probably be required to purchase property on which it will be impossible to re-erect dwelling houses. The money spent in its purchase will under present circumstances be wholly thrown away; whereas, if powers of compulsory purchase had been possessed, a useful and valuable improvement might be effected. Either compulsory powers should be given to Vestries, or Vestries should be empowered to sell the condemned properties

(of which a landlord wishes to rid himself) by auction, and hand over to him the produce of the sale. As it stands at present, Torrens's Act imposes penalties on ratepayers, and rewards landlords who grossly neglect their duties.

I have already in a previous report given my opinions with respect to the enactments relating to houses let in lodgings, and the difficulties which attend their enforcement; and I might adduce many other defects in the Sanitary Acts and many other administrative difficulties besides those which I have just discussed, were my present object solely to lead to amelioration of the law and to excuse Vestries for having failed to do their duty.

But I admit fully that the Sanitary Acts do give Vestries large powers, and that when these powers are exercised through officers who do their duty conscientiously and judiciously much good may be effected, and much even beyond that which could be enforced by the strict and literal application of the Acts. I will illustrate my meaning. I have pointed out that it might be possible for landlords and manufacturers, &c., by merely insisting on their legal rights, to oppose almost insuperable obstacles to periodical and systematic inspection of premises. I am bound to acknowledge, however, that it very rarely happens that any one of the Inspectors is refused admission on application. I have pointed out that a Vestry's power to insist on simple repair of premises is at least doubtful; but, as a general rule, a notice from the Vestry that repairs are needed is obeyed, if not to such an extent as might be wished, at any rate sufficiently for the time being. I have shown also that the Vestry's legal power of sending patients suffering from dangerous infectious fevers to hospitals are practically almost useless; nevertheless, I know that by the personal influence which the Inspectors possess and exercise many such patients are sent to hospital who would otherwise certainly be detained at home, to the danger of their fellow-tenants and of the neighbourhood. Further, there are, as I have already stated, many landlords of small property who not only do not resent the

visits of the Inspectors, but invite assistance from them, and act on their suggestions.

I now come to the consideration of the important question as to how far the Vestry of Camberwell has up to the present moment conscientiously and sufficiently carried out the duties required of it under the Sanitary Acts. As to its conscientious performance of these duties I have a right to speak with some degree of authority. I have been connected with the Vestry from its birth; I have seen generations of vestrymen come and go; I have been intimately associated with vestrymen of widely different social positions; I have known that a varying proportion of them consist of the landlords of the kind of property to which the sanitary laws chiefly relate, that many of these have become vestrymen with the main object of defending the interests of their class (and why should they not?), and that often they have influenced the decision of the Sanitary Committee, and even of the Vestry itself, in respect of sanitary questions. But I have never known a case in which the Vestry, or even the Sanitary Committee, has interfered to prevent the strict application of the sanitary laws in respect of any one of its own members. Nor do I ever recollect that any sanitary proceedings which I had urged as being necessary have not been sanctioned by the Vestry. As regards the sufficiency of the sanitary work done during these many years I dare not speak quite so positively, for I have had a large share in what has been done, and I am conscious (as every man must be conscious who has had large experience of such work) how often our efforts fail to achieve the result at which we aim, and how often our most successful efforts fail to secure more than mere temporary benefit. I think it right, however, to recall to recollection that systematic house-to-house inspection was commenced in Camberwell immediately on the organisation of the sanitary department at the beginning of 1856, and that it has been maintained without intermission ever since; that during that time 82 miles of sewers have been made, more than 28,000 houses have been drained, and probably more than 10,000

cesspools abolished. For a statistical record of the more important works done through the direct agency of the sanitary department I must refer to the table prepared jointly by the Surveyor and myself. It will be seen from that that our sanitary works have covered a large field; and that, amongst other matters, the disinfection of houses and of bedding after infectious disease, the application of Torrens's Act, and the regulation of houses let in lodgings have formed no unimportant part of the duties of the Inspectors. And, indeed, I do not hesitate to assert that, notwithstanding that here and there there may seem to have been neglect, that in some instances the carrying out of sanitary requirements may not have been effected so pertinaciously as might be, and that there are still many things in the parish that one would like to see otherwise than they are, an enormous amount of good work has been done, and is doing, mainly by the Inspectors of Nuisances. I take this opportunity of saying that in my opinion no Vestry has been better served than the Vestry of Camberwell has been served by the four men who are now Inspectors; they do their duties without favour, and yet without exciting undue opposition; and by the influence they have acquired outside the Vestry secure the efficient performance of much sanitary work of which a dry numerical summary can give no notion, and of much which cannot be tabulated.

Before concluding, there are two points on which I should like to make a few remarks. One relates to improvements which might be made in the Sanitary Acts, the other relates to improvements which might be effected in the sanitary administration of the parish.

However free from faults the Sanitary Acts might be made, I have no doubt that defects would still be found in them, and that means of evading them would be discovered and excuses made for not putting some of the more important enactments into force. On the other hand, I am sure that, notwithstanding all their imperfections, vast good may be accomplished by their aid, especially when those who administer them show tact and

knowledge in dealing with offenders. But I have no doubt the Sanitary Acts admit of much improvement, and I have already indicated some improvements which I think might be made, not only with great advantage, but without much difficulty. I proceed to point out the chief of those to which I now refer. One difficulty often experienced is in respect of the rapid abatement of dangerous nuisances. At the present time an order is given for abatement within a limited period, at the end of which an appeal is made to the magistrate, who probably allows some additional time and adjourns the case. Then if the work be not commenced he probably imposes a penalty; if it be in progress probably again adjourns the case. Thus—and by the aid of various manœuvres which it would take too long to particularise—nuisances which should be abated in a day or two are often allowed to continue in uninterrupted operation for two or three weeks or more. Now, if in administering the Nuisances Removal Acts Vestries could themselves impose penalties in cases of non-compliance with their orders, as they can do in regard to the provision of water-closets and dust-bins, &c., and as they are empowered to do in respect of defaults in houses let in lodgings, it is obvious that they would be much better able than they are now to cope effectually with the nuisances which are constantly arising. In the next place, the power of framing regulations for houses let in lodgings ought to be vested in the Metropolitan Board of Works, and their bye-laws should be compulsory throughout the whole of the metropolis. In the third place, Torrens's Acts should be amended, and if not restored to their original simplicity, should at any rate be so modified as (with the object of making real local improvements) to give Vestries powers of compulsory purchase. Fourthly, I should like the expressions “a nuisance or injurious to health,” and “in a state dangerous to health so as to be unfit for human habitation,” as applied to houses in the Sanitary Acts, and on the basis of which proceedings have to be taken against them, replaced by something more definite, such, for example, as “a nuisance or unfit for human habitation by reason of filthiness, disrepair, faulty ventilation, bad drainage, structural defects,

or recurrence of disease." And, lastly, I think express power should be given to order for any house that the purest available water should be supplied for drinking purposes.

The last subject of consideration is a domestic one. Can we improve the sanitary administration of the parish? There are, no doubt, some matters of detail which have been fitfully under the consideration of the Sewers and Sanitary Committee for some many months past that need to be dealt with, and one or two other matters which change of circumstances make it important to reconsider. There is one subject, however, to which I feel it my duty to call special attention. It is probably well known that I have long advocated the appointment of a larger number of Inspectors than are at present employed. We began with two when the parish comprised between fifty and sixty thousand inhabitants, and we continued to employ two only until the time of the cholera epidemic of 1866. Then two additional Inspectors were appointed for temporary purposes; but I am glad to say that their services were continued. And from that time to the present (with merely temporary exceptions) we have never had less than four Inspectors. But in my annual report for the year 1866 I pointed out that in my opinion a still larger number of Inspectors would before long be required. I venture to quote what I then wrote on this subject:—

"It will be seen, I think, from all that has just been stated, that the Inspectors have not been idle, that the systematic house-to-house inspections have been continuous and beneficial in a high degree to the parish, but that the actual inspections form only a very small portion of the duties which these officers have to perform, and that if they be compared with the number of houses in the parish, to inspect the parish thoroughly would, at the rate at which inspection has been going on, require a period of several years. But it should be explained that systematic inspections are for the most part limited to the poorer houses and poorer localities of the parish, and to those houses, of whatever class they may be, which lie along the lines of newly constructed sewers, and that much of the worst property has really been inspected pretty frequently. There is no doubt,

however, that a staff of two Inspectors was quite inadequate to keep a constant supervision over the whole of the poorer parts of the parish, even at the time of their first appointment, when the parish contained not more probably than 11,500 houses, and that as the parish has gradually been growing, until at the end of last year it contained over 16,000 houses, such a staff has become more and more unequal to the task which it is evident that many persons supposed it was their duty to perform. As population grows, and as new and increased powers in reference to sanitary matters are conferred upon the Vestry, it is evident that to maintain efficiency a commensurate increase in the sanitary staff must be made. The appointment of two additional Inspectors last year, whose services will, I hope, be permanently retained, was therefore a most important and beneficial step. I suspect, however, that before long it will be found advisable, if not absolutely necessary, to appoint such an officer for each separate ward of the parish. I may here point out one or two disadvantages under which our Inspectors, in common with those of some other districts, labour: these are, in the first place, the very great superficial extent of the parish, which makes it a considerable part of a day's labour to get from one extremity of it to the other; in the second place, the fact that the police courts are not only not within our parish, but at a considerable distance from it—an arrangement which necessarily leads to a very considerable sacrifice of the Inspectors' time."

When this report was written the estimated number of houses in the parish was 16,000, it is now more than 32,000. Moreover, since that time many fresh duties have been imposed upon the Inspectors, more especially the carrying out of the Drng and Food Act, the inspection of houses let in lodgings, and the supervision of the disinfection of houses and bedding in connection with infectious diseases. Under these circumstances, I am compelled to say that, in my opinion, the time has come when in order to secure effective performance of sanitary duties a considerable addition should be made to the sanitary staff. In connection with this subject there is one other consideration on which I feel it my duty to remark. There are no duties

performed by any Vestry official which require more good temper, more firmness, more tact, more skill, and more thorough honesty for their efficient discharge than do those performed by Inspectors of Nuisances. They have large powers which they might easily abuse ; they are exposed to many temptations ; the character of the Vestry, indeed, is largely involved in the mode in which they discharge their multifarious functions. It is important, therefore, to have as Inspectors exceptionally good and trustworthy men, and to pay them liberally.

J. S. BRISTOWE, M.D., F.R.S.,
Medical Officer of Health.

January 29th, 1884.

NOTE.—I think it right to add here that the Superintendant of Dust Removal is also a Sanitary Inspector ; and that two extra men are generally employed for the purposes of disinfection.

